

Combined Declaration for Patent Application and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METABOLICALLY ENGINEERED LACTIC ACID BACTERIA AND THEIR USE

the specification of which (check one)

[] is attached hereto;

[] was filed in the United States under 35 U.S.C. §111 on _____, as
USSN _____*; or

[XX] was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of
an international (PCT) application, PCT/DK97/00335 _____; filed 20 August 1997,
entry requested on _____*; national stage application received
USSN _____*; §371/§102(e) date _____* (*if known),

and was amended on _____ (if applicable).

(include dates of amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119, 365 of any prior foreign application(s) for patent or inventor's certificate, or prior PCT application(s) designating a country other than the U.S., listed below with the "Yes" box checked and have also identified below any such application having a filing date before that of the application on which priority is claimed:

(Number)	(Country)	(Day Month Year Filed)	[] YES	[] NO
(Number)	(Country)	(Day Month Year Filed)	[] YES	[] NO
(Number)	(Country)	(Day Month Year Filed)	[] YES	[] NO

I hereby claim the benefit under 35 U.S.C. § 120 of any prior U.S. non-provisional Application(s) or prior PCT Application(s) designating the U.S. listed below, or under § 119(e) of any prior U.S. provisional applications listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national filing date of this application:

<u>08/701,459</u> (Application Serial No.)	<u>22 August 1996</u> (Day Month Year Filed)	_____ (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Day Month Year Filed)	_____ (Status: patented, pending, abandoned)

I hereby appoint the following attorneys, with full power of substitution, association, and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SHERIDAN NEIMARK, REG. NO. 20,520 - ROGER L. BROWDY, REG. NO. 25,618 - ANNE M. KORNBAU, REG. NO. 25,884
NORMAN J. LATKER, REG. NO. 19,963 - IVER P. COOPER, REG. NO. 28,005 - ALLEN C. YUN, REG. NO. 37,971*
NICK S. BROMER, REG. NO. 33,478 - * Patent Agent

ADDRESS ALL CORRESPONDENCE TO
BROWDY AND NEIMARK, P.L.L.C.
419 Seventh Street, N.W.
Washington, D.C. 20004

DIRECT ALL TELEPHONE CALLS TO:
BROWDY AND NEIMARK
(202) 628-5197


The undersigned hereby authorizes the U.S. Attorneys or Agents named herein to accept and follow instructions from PLOUGMANN, VINGTOFT & PARTNERS A/S as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorney or Agent and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents named herein will be so notified by the undersigned.

Title: METABOLICALLY ENGINEERED LACTIC ACID BACTERIA AND THEIR USE

U.S. Application filed _____, Serial No. _____

PCT Application filed 20 August 1997, Serial No. PCT/DK97/00335

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR Dan NILSSON		INVENTOR'S SIGNATURE 	DATE 12/11/97
RESIDENCE Espergaerde, Denmark		CITIZENSHIP Denmark	
POST OFFICE ADDRESS Gefionsbakken 4A, DK-3060 Espergaerde, Denmark			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF THIRD JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF FOURTH JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF FIFTH JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SIXTH JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SEVENTH JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY DOCKET NO: NILSSON = 6A		SERIAL NO: 08/981,098			
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)					APPLICANT: NILSSON, Dan					
					FILING DATE: December 17, 1997		GROUP: 1651			
U.S. PATENT DOCUMENTS (include at least patentee, patent number and issue date)										
EXAMINER INITIAL		DOCUMENT NUMBER				DATE	PATENTEE	CLASS	SUB- CLASS	FILING DATE IF APPROP.
FOREIGN PATENT DOCUMENTS (include at least document number, publication date and country)										
		DOCUMENT NUMBER				DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES/NO
OTHER DOCUMENTS (include author, title, name of publication, volume, pages & date of publication)										
	CA	BÖCK, et al., <u>Fermentation</u> , ESCHERICHIA COLI AND SALMONELLA, CELLULAR AND MOLECULAR BIOLOGY, (Eds. in Chief Frederick C. Neidhardt), ASM Press, Washington, D.C., pgs. 262-282, 1996.								
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	CJ	SNOEP, et al., <u>Differences in sensitivity to NADH of purified pyruvate dehydrogenase complexes of <i>Enterococcus faecalis</i>, <i>Lactococcus lactis</i>, <i>Axotobacter vinelandii</i> and <i>Escherichia coli</i>: Implications of their activity in vivo</u> , FEMS MICROBIOLOGY LETTERS, vol. 114, pgs. 279-283, 1993.								
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EXAMINER							DATE CONSIDERED			
EXAMINER: Initial if reference considered. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant.										

Notice of References CitedApplication No.
08/981,098Applicant(s)
Nilsson D.Examiner
Vera AfremovaGroup Art Unit
1651

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U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A					
B					
C					
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FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
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O						
P						
Q						
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S						
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NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U	Takahashi et al. Oral Microbiology and Immunology. 1995. Vol. 10, pages 349-354.	
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